

WATER ALLOCATION COMMITTEE AREAS TO EXPLORE/TASKS TO DELEGATE

December 13, 2002

1. Research

Committee building

Electronic agendas/minutes (leads)

Review relevant sections of Reg. Riparianism Model Water Code

Review other background materials before meetings

Consider fact-based scenarios

Missions/goals

Evaluate water allocation programs in other states (NY, NJ, ME, FL, CT)

Criteria used: similarities in population density, geology, climate, policy, legal

Evaluate conservation programs in other states (FL, NC, MD, PA, Western states)

Assess cost of water allocation programs in other states (registration system)

Determine length of time to implement a registration program (by basin)

Assess how registration programs are enforced and evaluated

Assess components that lead to successful implementation/lessons learned

Assess what studies were in place prior to establishing registration systems and data gaps

Assess why states implemented registration programs

Review enabling legislation and regulations of successful programs

(see laws: NH HB 1449, ME LD1488)

Review information systems used for registration programs

Determine what information already exists in WSSM Plans for suppliers in terms of additional registration or permit requirements, if any

Determine what information already exists in WSSM Plans for suppliers in terms of additional planned capital investments

If possible, work with other committees as needed

2. Water Use Registration System

Committee building:

Electronic agendas/minutes (leads)

Review relevant sections of Reg. Riparianism Model Water Code

Review other background materials before meetings, especially water use studies

Consider fact-based scenarios

Missions/goals

Define registration system versus a permit system

Large uses/small uses/water suppliers; groundwater/surface water/wastewater; preferred uses; interbasin transfer; voluntary/ mandatory

Determine application requirements and fees, if any

Determine threshold for registering water use, if any

Prepare list of other criteria for registration, including reporting frequency

Determine exemptions, if any, from a permit requirement
Determine exemptions, if any, from a registration requirement
Determine a time period for a valid registration or permit
Assess whether uses would be grandfathered, and if so, for what period
Assess whether there could be incentives built into the system
Determine volume of potential registrations or permits under different scenarios
Gather data on public and private water use by sector and basin
Gather data on projected water use by sector and basin
Assess whether estimated data is sufficient, and if not, assess whether additional metering
be needed

3. Stream Flow Standards

Committee building:

Electronic agendas/minutes (leads)

Review relevant sections of Reg. Riparianism Model Water Code

Review other background materials before meetings

Consider fact-based scenarios

Missions/goals

Review the terms of the US Army Corps. Permits (Woon) and Ocean State Power

Recommend stream flow standards for short term and long term (basin specific)

Use NEWUDS to run scenarios

Define “Flow healthy” streams

Provide a citation (re: geology)

Provide info on 4B2 & 3 flow

Explain how stratified drift calculated

Determine how a flow standard would be applied in normal and “below normal” times

For DEM permitting programs and WRB Water Allocation program

Consider building “water optimization” into the standard

Review water uses and needs

Presentation on other states (RA)

Study flow duration curves

Make recommendations regarding stream gauge network

Assess impacts

Define “naturally occurring”

4. Priority Uses (“Shared Adversity”)

Committee building:

Electronic agendas/minutes (leads)

Review relevant sections of Reg. Riparianism Model Water Code

Review other background materials before meetings

Consider fact-based scenarios

Missions/goals

List relevant statutes
 Evaluate current uses by basin (supply and need)
 Develop criteria for priority uses and/or “preferential” uses
i.e., essential/nonessential; consumptive/nonconsumptive; potable/nonpotable; conservation-oriented; life-sustaining versus increasing wealth; permitted versus “registered”
 Develop criteria for certain types of withdrawals
Riparian versus nonriparian rights; intra or interbasin transfer; out-of-state transfer
 Develop hierarchy for priority uses, considering federal and state laws
 Develop hierarchy for priority uses in emergency or during drought
 Prepare list of exempted uses
 Prepare list of water uses matching water quality
 Consider restricted access to high quality waters, especially for nonpotable use
 Consider “reserving” water for future use, prior to allocating for other uses
i.e., domestic and municipal domestic, minimum stream flow, federal water rights
 Identify projected water needs by basin
 Consider tribal water rights
 Assess consistency of “priority uses” established in WSSM Plans

5. Water Rights/Regulatory Authority

Committee building: add attorneys for DOA/NBC/Narragansett Tribe (TT)
 Electronic agendas/minutes (leads)
 Review Reg. Riparianism Model Water Code: CH 6,7 (all)
 Review other background materials before meetings
 Consider fact-based scenarios
 Missions/goals
 Diagram: Brown student revises and circulates to participants who plug in agency with jurisdiction; relevant laws, statutes, regs, local ordinance or agreement; use references provided earlier (all)
 Assess chemical inputs to supply and clarify contamination on diagram (KC/CK)
 Deeded flow rights (CK/GS)
 Summarize other major doctrines (DT)
 Clarify the extent of the Public Trust Doctrine in terms of water rights (DT/CK/BB)
 Research relevant case law and RIAG advisory opinion (CK/GS)
 Research interstate water transfer agreements
 Review RI Public Laws regarding public supply districts and agreements
 Identify which communities benefit depending on water laws
 Determine which water rights and regs contribute to functional water management
 Determine which water rights and regs contribute to dysfunctional water management
 Determine which statutes are susceptible to change
 Prepare a taxonomy of “reasonableness”
 Identify per capita use of wastewater
 Consider rules for “exchanges” in water use

Investigate mining regulations, if any (water withdrawal and disposal)
Review RIGL for agricultural exemptions

6. Out-of-Basin Transfer (OOBT)

Committee building: affected suppliers
Electronic agendas/minutes (leads)
Review relevant sections of Reg. Riparianism Model Water Code
Review other background materials before meetings
Consider fact-based scenarios
Missions/goals
Review CRMC SAM Plan legislation for consistency with state law and plans
Define critical basin and out-of-basin transfer
Define “reasonable needs”
Graphically depict OOBT (GIS-KW)
Determine critical limits for OOBT (AR)
DEM maps –sewer/habitat (KC/AR)
Review MA OOBT report (AR)
Share NEWWA final white paper and matrix (JF)
Interstate agreement research (DB/PM/)

7. Fees/Water Rates/Alternatives

Committee building:
Electronic agendas/minutes (leads)
Review relevant sections of Reg. Riparianism Model Water Code
Review other background materials before meetings
Consider fact-based scenarios
Missions/goals
Rates spreadsheet (JB/AM)
Categorize users (AS)
Quantify unmetered uses (interconnections, wasted water, fire depts., illegal uses)
Categorize suppliers (AS)
Investigate standardization of reporting rates via software (gallons)
Investigate pricing water according to value, full cycle of water use and future supply
Investigate seasonal rates and preferred rates for those that optimize water use
Consider DSM charge, i.e., Conservation Fund (legislation)
Calculate potential revenue from a DSM charge with PWSB data (Jean B)
Evaluate use of other fees (hydrant fees, registration fees, impact fees)
Assess ROI from conservation kits, other BMPs (CM- Westerly report)
Discuss feasibility of RISE counterpart: RISW (Rhode Islanders Saving Water)
Review per capita spending for water and wastewater (GL)
Share AWWA Journal article (Mar, 2001) (J. Bell)
Standardize drought response among water suppliers

8. Education/Outreach/Public Relations

Committee building for WAPAC and Ed Committee (all)
Electronic agendas/minutes (leads)
Review relevant sections of Reg. Riparianism Model Water Code
Review other background materials before meetings
Consider fact-based scenarios
Missions/goals (complete)
Electronic PBN Book of Lists (CM)
Compile constituent distribution list (MB)
Meeting with PR person/wastewater committee lead (CM)
Contact ProJo freelance reporters (TS)
Introductory piece from mission statements
Metcalf Institute interns (SW)
Prepare generic student intern notice (SW)
Assess RIPDES/ISDS permit info
Demonstration project/water bill stuffers
Identify large water users
Prepare briefing paper for General Assembly

9. Integrated Water/Wastewater Considerations

Committee building: WWTF, Pretreatment Coordinators, URI-P2/Wat. Res. Ctr.
Electronic agendas/minutes (leads)
Review relevant sections of Reg. Riparianism Model Water Code
Review other background materials before meetings
Consider fact-based scenarios
Missions/goals
Identify incentives/disincentives to conservation
Gather success stories, i.e., best management practices, and publicize (all)
Review plumbing and mechanical code (HC)
Report on State House audit (KC/ES)
Prepare list of tax credit/grant programs (ES)
Develop intro letter for committee building
Compile/study sewer use fees
Identify sectors for water reuse (ES)
Depict buffer around WWTFs with GIS (ES)
Identify opportunities to enhance infiltration
Identify demonstration projects
Identify number of private wells
Identify areas where water needs to be supplemented
Identify WWTF which are over capacity
Consider zoning that prohibits automatic sprinklers
Identify uses at stressed times

NEW REQUEST: see NBC's report on "assessments" for impervious surfaces

10. Impact Analysis

Committee building:

Electronic agendas/minutes (leads)

Review relevant sections of Reg. Riparianism Model Water Code

Review other background materials before meetings

Consider fact-based scenarios

Missions/goals (complete)

Water sold: gross trends/location

Water use trend data (KC)

Assess impact and/or economic analysis models available (BC)

Summarize USGS HSPF Model (CL)

Depict out-of-basin transfer graphically (KW)

Study future land use maps (KC)

Study Blackstone build out study and maps (KC, BC, SM)

Assess Blackstone build out model CD (BC)

Survey unit values for water use/employee/sector (CM/TT)

Survey unit values for the environment (JB/SM)

List impacts to society, economy, and environment

Identify unmetered water use

Map census data to determine growth patterns (KW)

Analyze building permits to determine growth patterns

Evaluate zoning with respect to zoning/water planning/land use

11. Joint Advocacy & Funding

Committee building: regional entities

Electronic agendas/minutes (leads)

Review relevant sections of Reg. Riparianism Model Water Code

Review other background materials before meetings

Consider fact-based scenarios

Missions/goals

Identify critical elements of the program and price out
i.e., studies, models, stream gauges, info technology, GIS

Research vehicles for funding

Investigate eligibility of bond funds for conservation fund (CM/GL)

Identify legislative leadership opportunities

State budget review to pool spending (budget analysts)

Track proposed state and federal laws (GL)

Joint grant writing

Joint advocacy –identify economic development/housing ties (KP)

Coordinate legislative submissions

Determine per capita household spending on water/wastewater (GL)

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